Previous

App. F. IX-4

Previous References
Lrs 26-26-163

1930
V.P

File No. 75-30
Serial Nos. 1

Later References
Legis 34-30-1-6
VP 60-81 Rs 1819

General and Revenue Secretariat.

Serial Nos. one only

P 24-E **Part B for** July 31

SUBJECT.

Amendment to the Mysore Village Panchayet Regulation so as to provide for the appointment of Registrar General of Village Panchayets, the office being held ex-officio by the Revenue Commissioner

---

For final orders vide Legis 6-30-1

EMR 17/8

(For Disposal by Circulation.)

No. C. 316

.....1929.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Draft Bill to amend the Mysore Village Panchayet Regulation, 1926.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

Chief Secretary to Government.

30th May 1930

~~Extraordinary Member of Council.~~

First Member of Council.

Second Member of Council.

Third Member of Council.

For favour of Final Note.
Second Member)

VP 95-30-1.

GEN. & R. 3894 1927

31 JAN

L. S. G. BRANCH

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

At the monthly meeting on the 28 instant, the Revenue Commissioner poi out that although he is invested with supervision of Village Panchayets, he no statutory control over these bodies It was decided that provision might b made for the appointment of Registrar-General of Village Panchayets, this of being held ex-officio by the Revenue Commissioner for the present. The provisions of the Madras Panchayet Act may be examined and proposals for suitabl amendments to our Regulation may be put up.

30/1

Assistant Secretary,
L. S. G. Branch.

Recd 31/1

1/11 SS

AS 3-2-1130

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

P.T.O

3894

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General and Revenue Secretariat. | File No. | of 192

Serial No.

N

2) A comparison of the enactments in force in Madras and Mysore in regard to Village Panchayets shows that:—

(a) while the constitution of these local bodies is compulsory in the Mysore State, it is optional in Madras

(b) with the exception of the powers specified in Sections 15, 22, 25, 30, 37, 38, 45 to 47, 49, 54, 56, 57, 60 and 65 all the powers reserved to Government in the Madras Act have been vested in the Mysore Regulation either in the Deputy Commr, Assistant Commissioner or the Amildar, and

(c) while the Chief controlling authority in respect of administration of Village Panchayets in Mysore is the Deputy Commissioner, the authority is reserved to Government with power to delegate their duties and powers to a Registrar of Panchayets or to certain officers and individuals.

3) In Section 34 of the Madras Act provision has been made for the appointment of a Registrar of Panchayets. In the statement of objects and reasons and the notes on clauses published with the Madras Village Panchayet Bill the object of the Madras Government in appointing a Registrar and the necessity thereof have been explained as follows:-

M

"It is not possible for the Government to exercise all the powers reserved to them under this law nor would it be desirable were it possible. Power is therefore taken to appoint a Registrar in

NOTE—Contn.'sheet.

the

the beginning.

"He will organise Panchayets and superintend their working and the powers of Government will be delegated to him to such extent as may be found necessary from time to time. When under this --- guidance a sufficient number of Panchayets have ~~xxx~~ proved successful, and the movement has taken root, in any area, his control will be withdrawn from that area and the powers delegated to him will be transferred as experience may dictate, to one or other of the officers or persons mentioned in clause 35. When Panchayets have been established in every District and their usefulness demonstrated over the whole Presidency, the need for a Registrar for organising them and controlling them will cease to exist and the Government contemplate the abolition of the appointment when that stage is reached."

4. The policy of the Mysore Government with regard to organisation, superintendence and control of Panchayets in Mysore is entirely different from that followed in Madras. The statute in Mysore --- vests the powers of organisation, superintendence and control in the Deputy Commissioners and his --- subordinates and it is not left to the discretion of the Officers or of the people ~~either~~ to have a Panchayet or not. The constitution and organizatio of Panchayets for every village has practically bee completed in Mysore and it has been decided to ~~xxx~~ appoint the Revenue Inspectors to help the Amildars superintending the working of Panchayets. There

NOTE—Contn. sheet.

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is no scope in Mysore for vesting in any officer other than the Deputy Commissioner. Assistant Commr and Amildars with any powers in regard to organisation, ~~construction~~ and superintendence of Village Panchayets.

4. In these circumstances, the appointment of a ~~registrar~~ as in Madras not fit in with the framework of the Mysore Regulation and ~~Though it were~~ possible to do so, the appointment of the Revenue Commissioner as Registrar would not perhaps be justifiable for the ~~same~~ reason that he has very little leisure to attend to the supervision of a sufficient number of Panchayets and it appears expedient to continue to hold the Amildar entirely responsible for attending to this work.

5. In Government Order No. 5091-5144/L.B. 26-26-143 dated 31st January 1927 Government considered that in order to co-ordinate the work of Panchayets and to ensure the development of Panchayets on uniform lines, the Revenue Commissioner should be associated closely with the Panchayet work and for this purpose Deputy Commissioners were directed to send all important reports and communications to Government through the Revenue Commissioner. This arrangement may perhaps be regularised by providing in the Regulation for the Association of the Revenue Commissioner in the control of Panchayets without in any way ~~administering~~ diminishing the responsibilities of the Deputy Commissioners, Assistant Commissioners and Amildars. This may be done

NOTE—Contn. sheet.

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done by taking power to Government to appoint in place of the Deputy Commissioner a Head of a department as the controling authority in all matters relating to the administration of Panchayets and to delegate to him all or any of the powers reserved to Government by the Regulation excepting those specified in Sections 56, 57, 45 and 55. A draft Bill is also submitted for consideration.

CHIEF SECRETARY'S OFFICE FEB. 1930

3/2/30

6) Add may needed from the Revenue Dept is also sent.

Chairman 2/3/30

7) In favour of sanction

8) Law sect

9) Submit with reference

Done 22/3 ADC 9/3

10) It seems unnecessary to take power, as proposed in the draft Bill, to appointany Head of a Dept as the Chief controlling authority. The Rev. Comr is the only Head of a Dept who can be so appointed and

Sept 1893

Attended to

Please send the above Amendments

454 — 3874 / 397

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General and Revenue Secretariat | File No. of 192.

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a direct provision in the Act to the effect that he shall be the Ch. Authority and this seems sufficient for the purpose in view.

11) Appeals under ss. 15, 38(2) & 54(4) and references under S. 56(2) now lie to Govt. If it is intended that such cases should hereafter be decided by the Rev. Govt, express provision to that effect will have to be made in the Regulation and whether his decision is final or open to revision by, or a further appeal to, Govt will have also to be made clear.

Secy.
10/4/30

12) The matters are complete.

13)

14) Submit to Govt
26/4

15) With reg to para 11 it is seen that the intention is that appeals under sections 15 38(2) and 54(4) also and 56(2) references under Sec 56 (2) may be decided by the R.C. No further appeal shall lie and revision of the R.C's order

Note—Contn. Sheet

by Govt is necessary. If this is approved, the file may be sent to ... Secy for revising the Bill suitably

8281/14

30/4/30

2nd Member

30/4

appears may be (Revenue) but Govt may retain a power of revision Draft Bill may be amended suitably

esq 2/-

(2nd Member)

2/-

wise pmas 10, 11 & 16 & put up a draft

5/5

(18) Submit with draft.

pmc 13/5 AS

(19) Draft as revised. pmc 13/5

(20) Draft submitted

pmc 4/5 AS

Secy.)

14/5

Note—Contn. Sheet

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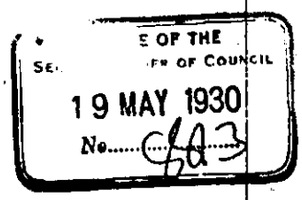
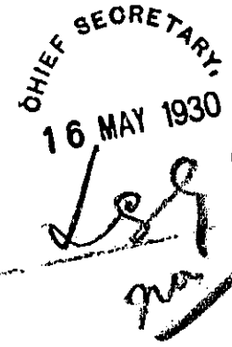




(21) Dr Secy also, for the word 'Govt' the words 'Revenue Cmte' have to be substituted, & have suitably revised the draft.

P 14. '16/5'

Chief Secy with Comps

(22) Dr with a Statement of Principles. After approval, this will be sent to Govt for orders in Council

2nd Member

17/5

2nd Member

(23)

20/5

(24) This may now be sent to Govt for orders in Council or by circulation

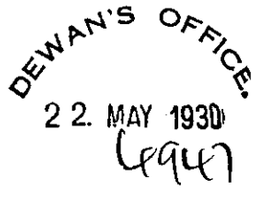
Govt Secy

20/5

(25) May be submitted by circulation

Dewan.

RB 21/5/30



22-5-30

RB 26/5/30

Ch. Secy with Compts

5-120
2615-

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

3972

App. F. III—2] 9

General and Revenue Secretariat. | File No. | of 192

Serial No.

I should like to know whether there is not one more (or perhaps two more) Bills to amend these same Regs & whether it is not possible to make just one all into one amending Bill

Ker
31. 5. 30

I. S. S
31/5

Two Bills have already been approved and the 3rd Principles sent to the R. A Secn. This is the only Bill that has yet to be applied by His Highness for this Session. These may be consolidated later on & perhaps after their principles are approved by Mr R A and before placing them before Mr Ly Cl we shall have sufficient time for consolidating the other 2 Bills already approved with the one now replacing the 3rd Bill

(for Secy)
RD
31/5

Please submit to Hon'ble Member after return from leave with reference to the 3rd Member's suggestion.

RG
2/6/30.
RD

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

Counsel Secy

RG
5/6/30
RD

Secy
6/6/30

C-S
6/6.

3894
3972

316

App. F. III—2] 10

General and Revenue Secretariat | File No. | of 193

Serial No.

DEWAN'S OFFICE.
5264
13 JUN. 1930

Final Note signed by the Member is first page.

Hm
12/6/30

Subject:-

Draft Bill to amend the Mysore Village Panchayet Regulation, 1926.

D. S. N. Submitted.

Dewan)

13/6.

Hm
13-6-'30

Action has been taken separately by consolidated circular
This case may be filed 5-7-31
Acceptance may be received

GEN. & REV. SECTT.
8 JUL 193
L. S. & BRANCH.

7.7.31

Note—Contn. Sheet

WD 02328—GPB—10,000—22-4-30

General and Revenue Secretariat

C 316.

Draft Bill to amend the Mysore Village Panchayet Regulation, 1926

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Membe

34. In all other cases, the files will first be circlated to the Members of Council at headquaters and then sent to the Secretariat coneerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before /after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

*

Chief Secretary to Government.

Through the Secretary to Government,

..... Law .....Department.

This may be brought up with R.A. meeting to-morrow
P.M. 20/6
W 16.6

(The Assistant Secretaries R.A. & C and L.S.G. have been informed.)

7655/21/6

FIRST MEMBER OF COUNCIL. 21.6.21

9526/26/6

SECOND MEMBER OF COUNCIL.

12349/21/6

~~EXTRA~~/MEMBER OF COUNCIL. 21.6.

NOTE- Contn. sheet.

n316

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Draft bill to amend the Mysore Village Panchayet Regulation 1926.

541

Order.

KRAW
14/6/30

C. Secy
15-6-30

new 15/6

Submitted to His Highness.

I submit herewith a Final Note by the Second Member of Council regarding draft bill to amend the Mysore Village Panchayet Regulation, 1926,

for His Highness' gracious approval.

Mirza M. Ismail

Dewan.

13-6-30

Final Note by the Second Member of Council.

Subject:—

Draft Bill to amend the Mysore Village Panchayet Regulation, 1926.

Under the Regulation the Deputy Commissioner is the chief controlling authority in respect of all matters pertaining to the administration of Panchayets. However, with a view to co-ordinate the work all over the State and to ensure the development of the Panchayets on uniform lines, it was ordered that communications from the Deputy Commissioners to Government in all important matters relating to the Panchayets should pass through the Revenue Commissioner. By this arrangement it was possible for Government to have the benefit of the considered views of an officer who is in touch with Panchayet administration in the whole State.

As this arrangement has worked well, it is considered desirable to regularise it by appointing the Revenue Commissioner as the Chief controlling authority, in order that he may guide the Deputy Commissioners in all matters relating to the administration of Panchayets.

It is also proposed to delegate to some extent to the Revenue Commissioner the powers reserved to Government by the Regulation, except the following:-

(i) Power to make rules,

(ii) Power to sanction levy of optional taxes and

(iii) Power to confer on the holders of alienated villages all or any of the powers of Amildars under the Regulation.

It is further proposed to empower the Revenue Commissioner to decide disputes between Panchayets in different Districts and to hear

hear appeals from the orders of the Deputy Commissioners in the following cases:-

(i) Removal of Chairman,

(ii) Requisitions for increasing the income of Panchayets,

(iii) Requisition to perform duties under Section 47, and

(iv) Supersession to perform duties under Section 54.

Power will, however, be reserved to the Government to call for records and reverse or modify the Revenue Commissioner's orders passed in appeal.

The above proposals involve the amendment of the Mysore Village Panchayet Regulation.

A bill further to amend the Mysore Village Panchayet Regulation, 1926, has accordingly been prepared and it has been approved by the Dewan and the other Members of Council.

Page 8 of Office Note

I now solicit His Highness' gracious permission to place the general principles of the bill before the Representative Assembly, and the Legislative Council in due course.

S Balasundaramayya
Member of Council.

Camp Mysore,
12th June 1930.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

CONFIDENTIAL.

CHIEF SECRETARY 5 FEB 1930

SECTT. & REV. DEPTT. 3972 1930

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE.
L. S. G. BRANCH

Dated, Bangalore, 31st January 1930.

My Dear Madhava Rao,

With reference to Government Order No.L.5091-5144/L.R. 26-26-144 dated 31st July 1927 associating the Revenue Commissioner with the administration of Village Panchayets in the State, I write to state that under the Village Panchayet Regulation, the Revenue Commissioner has no statutory position and that consequently much delicacy arises in dealing with questions coming up before me. I understand that the question of amending the Village Panchayet Regulation is now engaging the attention of Government. In this connection, I request that suitable provision may be included in the amending ~~bill~~ bill so as to give the Revenue Commissioner the necessary statutory recognition.

Yours sincerely,

P. R. Rama Rao

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

~~General and Revenue Secretariat.~~ | ~~File No.~~

~~Serial No.~~

BILL FURTHER TO AMEND THE MYSORE VILLAGE PANCHAYET REGULATION.

Whereas it expedient further to amend the Mysore Village Panchayet Regulation 1926. It is hereby enacted as follows:-

1. For Section 43 of the Regulation, the following shall be substituted:-

43 (1) The Government may appoint an Officer not below the rank of the Head of a Department to be the Chief Controlling authority in respect of all matters relating to the administration of Panchayets in the State.

The Rev. Comr is the only Head of a Dept that can be appointed Chief

(2) Subject to the general control of the Chief controlling authority, the Deputy Commissioner shall control the administration of Panchayets in the District.

(3) The Government may by notification in the Official Gazette delegate to the Chief Controlling authority all or any of the powers vested in them by the Regulation except the powers mentioned in Sections 30. 37. 45 and 65 (and likewise withdrawing of the powers so delegated.") and

4(1) 5-17 - 18(4), 41, 45, 24, 24, 29(1), 34, 38(2), 54 54(4) 56(3) 57 58-(2)

Statement of objects and reasons:-

Though the Deputy Commissioners of Districts are under Section 43 of the Village Panchayet Regn. the Chief Controlling authorities in all matters relating to the administration of Panchayets. Government considered it expedient that the Revenue Commi-sion

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

~~App. F. III-2~~

General and Revenue Secretariat. | ~~File No.~~ ~~of 192~~

Serial ~~No.~~

Commissioner should be closely associated with the development of Panchayet work in use to ensure ~~administration of~~ Panchayet work in order to co-ordinate the work and to ~~ensure development of Panchayets~~ on ~~definite lin~~ uniform and On Government Order No. 5091-5144 L.B. 26-26-143 dated 31st January 1927 it was accordingly directed that communications from the Deputy Commissioners to Government in all important matters relating to Panchayets --- should pass through the Revenue Commissioner in order that the Government ~~may~~ might have the benefit of ~~knowing the~~ this considered ~~opinion of that Officer~~ views of an Officer who is in touch with Panchayet administration in the district. The arrangement has worked well and Government now consider it desirable to regularise ~~the arrangement~~ it by appointing an officer of the grade of a Head of Department as the Chief Controlling authority in -- order that he may guide the Deputy Commissioners in all maters relating to the administration of Panchayats. It is intended to appoint the Revenue Commissioner as the Chief Controlling authority for the present. ~~This opportunity is taken~~ to delegate to ~~the Chief Controlling authority~~ him the powers reserved to Government by the Regulation to such extent as may be -- found necessary from time to time.

DS
3/4/30

28
5/2/3

WH No. 524 b

NOTE—Contn. sheet.

General Principles of the Bill furthe

to amend the Village Panchayet Regulation.

~~Although the Deputy Commissioners of~~ Districts are under Section 43 of the Villag Panchayet Regulation the Chief Controlling authorities in all matters relating to the Administration of Panchayets, Government considered it expedient that the Revenue Com missioner should be closely associated with the development of Panchayet work in order t ensure co-ordination and progress on uniform lines. In G.O.No.L. 5091-5144/L.B.26-26-143 dated 31st January 1927 it was accordingly directed that communications from the Deputy Commissioners to Government in all important matters relating to Panchayets should pass through the Revenue Commissioner in order th the Government might have the benefit of the considered views of an officer who is in touch with Panchayet Administration in the whole State. The arrangement has worked we and Government consider it desirable to regularise it by appointing the Revenue Com- missioner as the Chief Controlling authority in order that he may guide the Deputy Commis sioners in all matters relating to the Administration of Panchayets. It is also proposed to delegate to the Revenue Commis- sioner the powers reserved to Government by the Regulation to such extent as may be found necessary from time to time except the following:-

(a) Power to make rules

(b) Power to sanction levy of optional

taxes, and

(c) Power to confer on the holders of alienated villages all or any of the powers of Amildars under the Regulation.

2) It is also proposed to empower the Revenue Commissioner to decide disputes between Panchayets in different Districts and to hear appeals from the orders of the Deputy Commissioners in the following cases:-

(a) Removal of Chairman under Sec.15.

(b) Requisitions for increasing the income of Panchayets under Sec.38

(c) Requisition to perform duties under Sec. 47, and

(d) Supersession of Panchayets under Sec. F

Power is, however, reserved to the Government to call for records and reverse or modify the Revenue Commissioner's orders passed in appeal.

3) The general principles of the bill together with copies of the bill are placed before the Representative Assembly for an expression of their views.

Bill further to amend the Mysore Village Panchayat Regulation, 1926.

Whereas it is expedient further to amend the Mysore Village Panchayat Regulation, 1926. It is hereby enacted as follows:-

1. In Section 15 of the Mysore Village Panchayat Regulation, 1926 (hereinafter referred to as the said Regulation) for the word "Government" the words "the Revenue Commissioner" shall be substituted.

2. In sub-section (2) of section 38 of the said Regulation, for the word "Government" the words "the Revenue Commissioner" shall be substituted.

3. For section 43 of the said Regulation, the following section shall be substituted:-

" 43.(1) The Revenue Commissioner shall be the Chief Controlling authority in respect of all matters relating to the administration of Panchayets.

(2) The Government may by Notification in the Official Gazette delegate to the Revenue Commissioner all or any of their powers under this Regulation except the power to make rules and the powers vested in them under sections 37 and 45".

4. In sub-section (4) of section 54, of the said Regulation, for the word Government the words "the Revenue Commissioner" shall be substituted.

5. For sub-section (2) of section 55 of the said Regulation the following sub-section shall be substituted:-

"(2) Appeals to the Revenue Commissioner when expressly allowed under this Regulation shall be preferred within ninety

ninety days of the date of publication or communication of the order of the Deputy Commissioner".

6. For sub-section (3) of section 56 of the said Regulation the following sub-section shall be substituted:-

"(3) If a dispute arises between two or more Panchayets in different Districts the matter shall be referred to the Revenue Commissioner for decision".

7. In Chapter V, after section 58, the following section shall be added:-

" 58A (1) When any matter has been decided by the Revenue Commissioner on appeal under section 15, sub section (2) of section 38, S. 47, or sub-section (4) of section 54, or on reference under sub-section (3) [2] of section 56, the Government may, for the purpose of satisfying themselves ~~itself~~ as to the correctness, legality or propriety of his order, call for the connected records and may in doing so direct, that pending the examination of the records such order be held in abeyance.

"(2) On examining the records the Government may reverse or modify the order of the Revenue Commissioner, as ~~it~~ they deem fit."

14/5/30

Is form singular or plural. Observe the uniform rule

It is used in the plural. Numerous instances are many.